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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/640,104.	08/15/2000	Dirk Adolph	RCA 89,739	1502

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THOMSON LICENSING INC.
PATENT OPERATIONS
PO BOX 5312
PRINCETON, NJ 08543-5312

EXAMINER

BOCCIO, VINCENT F

ART UNIT PAPER NUMBER

2621

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/640,104

Applicant(s)

ADOLPH ET AL.

Examiner

Vincent F. Boccio

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on response of 9/20/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2621.

Response to Arguments

1. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Claim 3 is not shown in the drawings, "two frame buffers".

Appropriate correction is required

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claims 4 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 4 and 11 both recite the limitation "decoding B frames without storing its content."

Since it is deemed that the MPEG decoder had a decoding loop deemed therefore, is deemed to be inherent to any MPEG decoding loop, requires storage in the loop processing and wherein the claim is not specific to decoding the B frame without storing its content, as recited, renders the claims indefinite and unclear in view of the decoder having storage of all frame content, during the decoding steps to decode inside the decoder

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loop, since can be interpreted this way renders the claim unclear without more details to where the B frame is decoded without storing its content with respect to the claims as recited.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 5-10, 12-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Duruoz et al. (US 6,654,539).

Regarding claim 1, Inoue et al. discloses and meets the limitations associated with a method and a corresponding apparatus for reproducing (Fig. 1, playback device 13, 15) a digital stream containing program information for trick mode display, the method comprising the steps of:

a) decoding the incoming stream in normal mode (Fig. 1, video decoder 19);

b) creating a group of picture (Fig. 6, GOP) structure history during the decoding step;

c) storing the history (Fig. 6, "History Value", Fig. 16 C, 552, 586, 566, 568, HISTORY, col. 35, lines 40 to col. 34, line 37 & col. 36, lines 55- to col. 38 etc...);

d) editing for playback in trick mode (col. 10, lines 16-31) the digital stream using the history (col. 8, lines 7-18, "buffer history ... the buffer history is used when decoding ... such as reverse ... trick");

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e) decoding the stream edited for trick playback (col. 8, "trick play mode, this approach increases the likelihood that the most potential useful data in a free buffer will be overwritten after less potential useful data in a free buffer is overwritten.").

Regarding claim 2, Duruoaz further discloses maintaining and displaying a last decoded picture during the step e, trick play mode such as pause (see col. 10, lines 65- & col. 10, lines 16-30, trick play commands and col. 19, lines 4-, "repeatedly displayed").

Regarding claim 3, Duruoaz further discloses and meets the limitation of decoding invisible using two frame buffers (col. 8, lines 1-18, "When there are more than three frame buffers").

Regarding claims 5-7-10, 12-14, are analyzed and discussed with respect to the claims above, wherein Duruoaz provides for trick play modes, trick play mode controller, a memory for the history, associated with the transitions between modes and utilizing the history data to handle selecting frames between modes also see Figs. 1, 2, 3, 4, 6, 7, 8, 10, 11, 12, 15A, 15D, 16C, 16D, cols. 8-9, 19, 27, 34, 36.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and

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invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duruoze et al. (US 6,654,539).

Regarding claim 4 and 11, Duruoze fails to particularly disclose decoding a B frame without storing its content.

The examiner takes official notice that frames after a decoder can be sent to a rendering device such as a digital display without any storing with respect to the output of the MPEG decoder in modes such as normal play modes having I and P and B frames decoded by an MPEG decoder.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to decode B frames and output and not store its content, such as in a normal play mode, as is obvious and conventional in the art, because the buffering after the MPEG decoder is not deemed necessary for frames prior to rendering.

Contact Fax Information


Any response to this action should be faxed to:

(571) 273-8300, for communication as intended for entry, this Central Fax Number as of 7/15/05

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Tuesday & Thursday-Friday, 8:00 AM to 5:00 PM Vincent F. Boccio (571) 272-7373.

Primary Examiner, Boccio, Vincent
7/21/06


VINCENT BOCCIO
PRIMARY EXAMINER